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SN

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/466,895 12/20/99 IIJIMA

T 991450

EXAMINER

023850 MM91/0515  
ARMSTRONG, WESTERMAN, HATTORI,  
MCLELAND & NAUGHTON, LLP  
1725 K STREET, NW, SUITE 1000  
WASHINGTON DC 20006

ALCALA, J

ART UNIT	PAPER NUMBER
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2841

DATE MAILED:

05/15/01

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/466,895	IIJIMA ET AL.	
	Examiner Jose H Alcala	Art Unit 2841	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 20 December 1999.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) \_\_\_\_\_ is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claims 1-14 are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. § 119

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

#### Attachment(s)

- 15) Notice of References Cited (PTO-892)
- 16) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ .
- 18) Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_ .
- 19) Notice of Informal Patent Application (PTO-152)
- 20) Other: \_\_\_\_\_

Application/Control Number: 09/466,895

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**DETAILED ACTION*****Election/Restrictions***

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1,3-12, drawn to a printed circuit board with a particular substrate, classified in class 174, subclass 255.
  - II. Claims 2,13-14, drawn to a method of making a printed circuit board with a particular substrate, classified in class 29, subclass 829.
2. The inventions are distinct, each from the other because of the following reasons:  
The Inventions II and I are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the printed circuit board of the instant claimed invention can be made by a materially different process. For example, instead of forming the wiring film by electroplating, the same wiring film can be formed by electroless plating and instead of etching the base metal, the metal can be deposited in the correct height as needed (additive process).

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3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

4. Because these inventions are distinct for the reasons given above and the search required for Group II is not required for Group I, restriction for examination purposes as indicated is proper.

5. This application contains claims directed to the following patentably distinct species of the claimed invention:

Species 1: Embodiment 1 as shown in Figures 1, 2A-2D, 3A-3C.

Species 2: Embodiment 2 as shown in Figure 4.

Species 3: Embodiment 3 as shown in Figures 5, 6A-6D, 7A-7B.

Species 4: Embodiment 4 as shown in Figure 8.

Species 5: Embodiment 5 as shown in Figures 9, 10A-10C, 11A-11B.

Species 6: Embodiment 6 as shown in Figure 12.

Species 7: Embodiment 7 as shown in Figure 13.

Species 8: Embodiment 8 as shown in Figure 14.

Species 9: Embodiment 9 as shown in Figures 15, 16A-16D, 17A-17C.

Species 10: Embodiment 10 as shown in Figures 18, 19.

Species 11: Embodiment 11 as shown in Figures 20, 21A-21C, 22A-22B.

Species 12: Embodiment 12 as shown in Figure 23.

Species 13: Embodiment 13 as shown in Figures 24, 25.

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Species 14: Embodiment 14 as shown in Figures 26, 27A-27D, 28A-28B.

Species 15: Embodiment 15 as shown in Figures 29, 30A-30B, 31A-31B.

Species 16: Embodiment 16 as shown in Figure 32.

Species 17: Embodiment 17 as shown in Figure 33.

Species 18: Embodiment 18 as shown in Figures 34A-34D, 35A-35B.

Species 19: Embodiment 19 as shown in Figures 36A-36C, 37A-37C.

Species 20: Embodiment 20 as shown in Figures 38, 39A-39C, 40A-40B

Species 21: Embodiment 21 as shown in Figures 42A-42D, 43A-43D, 44A-44D.

6. Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claim is generic.

7. Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

8. Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims

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are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

9. Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

10. A telephone call was made to Donald H. Hanson on 5/10/01 to request an oral election to the above restriction requirement, but did not result in an election being made.

11. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

12. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

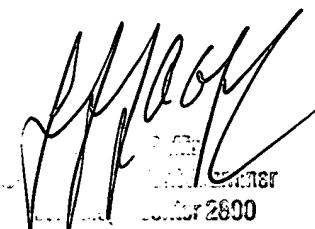
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13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jose H Alcala whose telephone number is (703) 305-9844. The examiner can normally be reached from Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on (703) 308-3301. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3431 for regular communications and (703) 305-3431 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

JHA  
May 11, 2001



A handwritten signature in black ink, appearing to read "JHA". Below the signature is a printed name and title:

J. Alcala  
Patent Examiner  
(703) 305-2600